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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/525,004

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Kazufumi Ikeda

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11/13/2008

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EXAMINER

SUNG, GERALD LUTHER

ART UNIT

PAPER NUMBER

3741

MAIL DATE

DELIVERY MODE

11/13/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/525,004	Applicant(s) IKEDA ET AL.	
	Examiner GERALD L. SUNG	Art Unit 3741	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 September 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 36 is/are pending in the application.
- 4a) Of the above claim(s) 2-35 and 37-53 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>2/17/2004 and 1/5/2007</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Claims 2-35 and 37-53 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 8 August 2008.

Claim Objections

2. Regarding claim 1, line 5, the limitation "the said combustion region" is redundant. Line 10, the limitation "internal of junction body" should read "internal of the junction body" and the limitation "with air in the said..." is redundant.

3. Claim 36, line 3, the limitation "installed around periphery thereof" should read "installed around the periphery thereof."

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claim 36 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

6. Regarding claim 36, the limitation "installed around periphery thereof" renders the claim indefinite because it is unclear where "around the periphery thereof" is referring to the periphery of the resonator or the cylinder body. For the purposes of examination, the cavity will be interpreted as be installed internal of the resonator where the resonator is installed on the periphery of the cylinder body.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Suenaga et al. USPG Pub 2002/0066272 A1.

9. Regarding claim 1, Suenaga et al. disclose a gas turbine combustor consisting of a cylinder body generally indicated at 2, an air container body 16, a junction body shown as a hole 14 in the transverse body generally indicated at 9. The transverse body 9 has vents previously defined as the junction bodies where the fluid particles cross internal of the junction bodies and the junction bodies have one end open to the cylinder body 2 and the other end open to the air container body 16.

10. Claims 1 and 36 are rejected under 35 U.S.C. 102(e) as being anticipated by Bland et al. USPN 7,080,514 B2.

11. Regarding claim 1, Bland et al. disclose a high frequency dynamics resonator assembly for a gas turbine combustor 12 having a cylinder body shown clearly in figures 1 and 2, an air container body (50 "scoop") which accommodates air for resonance for fluid particles serving as vibration elements of combustion vibration being generated in

Art Unit: 3741

the combustion region, a junction body 18 having a predetermined length which has one end open to the cylinder body (the inside of the combustion chamber via the resonator 14) and one end open to the air container body 50, a transverse body 24 having vents where the fluid particles cross internal of the junction body and vibrate by resonance with air in the said air container body.

12. Regarding claim 36, as best understood, referring to figure 6a, the cylinder body has a resonator 14 having a cavity 16 installed around the periphery thereof having sound absorption holes 26 opening to the cavity 16 where the air container body 50 consists of a first box body (52 and 54) which is installed adjacent to the resonator 14 so as to form a first internal space 56 having a predetermined capacity, the junction body 18 consists of part of the resonator 14 and a first throat 20 which has one end open to the cavity 16 and the other end open to the first internal space 56, and a transverse body 24 consists of a side wall of the cylinder body having the sound absorption holes 26 serving as the vents.

Conclusion

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to GERALD L. SUNG whose telephone number is (571)270-3765. The examiner can normally be reached on M-F 9am-5pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Cuff can be reached on (571) 272-6778. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3741

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Gerald Sung
Patent Examiner
GS
7 November 2008

/Michael Cuff/

Supervisory Patent Examiner, Art Unit 3741